

ESTTA Tracking number: **ESTTA473666**

Filing date: **05/22/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Queen Productions Limited
Granted to Date of previous extension	05/23/2012
Address	22 Cottage Offices Latimer Park, Latimer Road Chesham Buckinghamshire, HP51TU UNITED KINGDOM
Attorney information	Rita E. Kline TAROLLI, SUNDHEIM, COVELL & TUMMINO LLP 1300 East Ninth Street Suite 1700 Cleveland, OH 44114 UNITED STATES ritakline@tarolli.com Phone:216-621-2234 x 121

Applicant Information

Application No	85380593	Publication date	01/24/2012
Opposition Filing Date	05/22/2012	Opposition Period Ends	05/23/2012
Applicant	KIMBERLY SMITH 2806 Haverhill circle N. Charleston, SC 29420 UNITED STATES		

Goods/Services Affected by Opposition

Class 041. All goods and services in the class are opposed, namely: Entertainment services by a musical artist and producer, namely, musical composition for others and production of musical sound recordings


Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2271397	Application Date	06/24/1997
Registration Date	08/24/1999	Foreign Priority Date	NONE
Word Mark	QUEEN		
Design Mark			

Description of Mark	NONE
Goods/Services	<p>Class 009. First use: video and sound recordings and [motion picture films featuring music and concert performances; exposed camera film]; pre-recorded compact discs featuring music; [blank audio and video tapes;] cassettes and compact discs; [computer software featuring music and entertainment in the nature of animation and videos featuring musical and concert performances and stories, and featuring educational creative writing programs, screen saver programs, poster art programs, and graphics programs, all for entertainment and amusement; video game cartridges; video game discs; electronic computer game cartridges and electronic computer game discs; video and computer output game machines for use with televisions; coin-operated game machines for use with televisions]</p> <p>Class 016. First use: tour programs featuring a musical group; goods made from paper or cardboard, namely, decalcomanias, posters, [greeting cards] and sheet music, all featuring or pertaining to a musical group;[stationery, pens,] both featuring or pertaining to a musical group; mounted and unmounted photographs featuring or pertaining to a musical group; [printed radio and television programs featuring listings of programs and schedules featuring or pertaining to a musical group]</p> <p>Class 025. First use: articles of outer clothing featuring or pertaining to a musical group, sold at concerts and record stores, namely, T-shirts; caps; jackets [; anoraks, trousers; dresses; footwear;]and headwear</p> <p>Class 041. First use: entertainment in the nature of live musical concerts; radio program production and television show production; production of records and audio and video tapes, discs and cassettes; entertainment services, namely, production of plays, musicals, [concerts,] live theatrical performances; publication of books and publication of concert programs, musical tour programs and musical score books</p>

U.S. Registration No.	3843017	Application Date	10/19/2009
Registration Date	08/31/2010	Foreign Priority Date	NONE
Word Mark	ROCK YOU QUEEN		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2009/11/17 First Use In Commerce: 2009/11/17 Components for gaming machines that generate or display wager outcomes, namely, controllers, displays, button panels, bolsters, electrical wiring, and</p>		

	computer hardware and software associated therewith; Computer game software for gaming machines including slot machines or video lottery terminals; Computer software and firmware for games of chance on any computerized platform, including dedicated gaming consoles, video based slot machines, reel based slot machines, and video lottery terminals; Electronic components for slot machines; Gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; Gaming equipment, namely, slot machines with or without video output; Gaming machines; Gaming machines featuring a device that accepts wagers; Gaming machines including slot machines or video lottery terminals; Gaming machines that generate or display wager outcomes; Gaming machines, namely, devices which accept a wager; Gaming machines, namely, electronic slot and bingo machines; Gaming software that generates or displays wager outcomes of gaming machines; Machines for playing games of chance; Slot machines
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U.S. Application No.	85178920	Application Date	11/17/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	Q QUEEN		
Design Mark			
Description of Mark	The mark consists of the word "QUEEN" beneath a design comprising a phoenix above a letter "Q" which encloses a crown, with lions and angels on either side of the letter "Q".		
Goods/Services	<p>Class 009. First use: First Use: 1991/09/00 First Use In Commerce: 1991/09/00 Digital media, namely, downloadable audio files and video files featuring musical groups and/or musical performances via the internet; motion picture films featuring musical group and/or musical performances; film strips featuring musical group and/or musical performances; prerecorded compact discs featuring musical performances and/or non-music commentary related to a musical group; prerecorded gramophone records featuring musical performances and/or non-music commentary related to a musical group; prerecorded audio cassettes featuring musical performances and/or non-music commentary related to a musical group; computer games software; phonograph record sleeves</p> <p>Class 016. First use: First Use: 1992/00/00 First Use In Commerce: 1992/00/00 Paper, paper articles, namely, concert/tour programs, posters, flyers, brochures, and cards featuring a musical group; cardboard, cardboard articles, namely, concert/tour programs, posters, flyers, brochures, and cards featuring a musical group; sheet music; printed matter, namely, songbooks; printed periodicals in the field of publicizing a musical group, musical greeting cards, gift token cards, greeting cards; photographs; stationery; office requisites, namely, pens; printed instructional and teaching material in the field of music; packaging materials, namely, paper bags, plastic bags, paper for wrapping; transfers, namely, iron-on transfers, plastic transfers and decalcomanias</p>		

	<p>Class 025. First use: First Use: 2003/00/00 First Use In Commerce: 2003/00/00 articles of outer clothing featuring or pertaining to a musical group, namely, T-shirts, coats, jackets, anoraks, trousers, sweaters, dresses, pajamas, suits, sweatshirts; footwear; headgear, namely, caps, hats, bandanas and headbands</p> <p>Class 041. First use: First Use: 2007/11/00 First Use In Commerce: 2007/11/00 Education and entertainment services, namely, conducting classes, concerts, performances in the field of music; entertainment in the nature of live musical concerts; production of radio and television programmes; entertainment services relating to radio and television programmes; production of video and/or sound recordings; production of television shows, radio shows, stage shows; production of films; production of live concerts, theatrical stage and musical shows; entertainment in the nature of theatre productions; publication of books and publication of texts; production of video games, sound and record recordings; sounds and video recording, namely, non-downloadable audio files and video files featuring musical groups and/or musical performances</p>
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Attachments	77852318#TMSN.jpeg (1 page)(bytes) 85178920#TMSN.jpeg (1 page)(bytes) QUEEN DIVA Notice of Opposition.pdf (16 pages)(535461 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Rita E. Kline/
Name	Rita E. Kline
Date	05/22/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Application Serial No. 85380593

Publication Date: January 24, 2012

Queen Productions Limited,

Opposer,

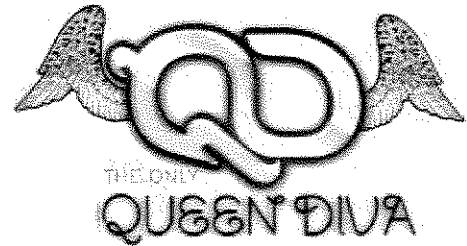
v.

Kimberly Smith
2806 Haverhill Cir
N Chareleston, SC 29420-8922,

Applicant.


Opposition No.: _____

Mark:



NOTICE OF OPPOSITION

Queen Productions Limited (“Opposer”), a United Kingdom limited liability company, having a business location at 22 Cottage Offices, Latimer Park, Latimer Road, Chesham, Buckinghamshire HP5 1TU, United Kingdom, believes that it will be damaged by registration of the mark shown in the application of Kimberly Smith (“Applicant”), Serial No. 85380593, and hereby opposes registration of such mark on the following grounds:


1. Applicant seeks to register  as a mark for “entertainment services by a musical artist and producer, namely, musical composition for others and production of musical sound recordings” in Class 41, based on intent to use in commerce. Applicant’s application was filed on July 26, 2011.

2. Since at least as early as 1974, Opposer engaged in and presently is engaged in providing a variety of goods and services in the U.S. in connection with the music and entertainment industry under the mark QUEEN. Opposer is the famous

English rock/pop band QUEEN consisting of original band members Brian May, Roger Taylor, John Deacon, and the now deceased Freddie Mercury. Over the years, the band's members have changed, however, QUEEN is still in existence, touring and making music. QUEEN was founded in 1970. The band released its first album in the U.S. in 1973, and first toured the U.S. in 1974. QUEEN has approximately 14 studio albums, 5 live albums, 1 soundtrack album, 10 compilations, and 62 singles, spanning four decades. In 1991, QUEEN's entire catalog was remastered and re-released on compact disc in the U.S. In 2006, QUEEN toured in the U.S. with new singer Paul Rodgers and performed on the television show American Idol. QUEEN's music, performances, and related products and services, including but not limited to, compact discs, downloads, videos, clothing, photographs, posters, sheet music, concert and tour programs, television broadcasts of videos, theater productions, musical concerts or live performances etc., continue to be widely distributed and sold in the U.S. today.

Moreover, since at least as early as 1991, Opposer engaged in, and presently is engaged in providing a variety of goods and services in the U.S. in connection with the



music and entertainment industry under the mark  (hereinafter "QUEEN Crest"). Furthermore, since at least as early as 2009, Opposer engaged in, and presently is engaged in providing gaming machines under the mark ROCK YOU QUEEN. Opposer's marks QUEEN, QUEEN Crest and ROCK YOU QUEEN (collectively "QUEEN Marks") have acquired considerable good will.

3. Opposer is the owner of Federal Trademark Registrations that contain the term QUEEN, either alone or in combination with other words. Specifically, Opposer is the owner of Federal Trademark Registrations for the marks QUEEN (Reg. No. 2,271,397) for use in connection with “video and sound recordings and; pre-recorded compact discs featuring music; cassettes and compact discs in Class 9; tour programs featuring a musical group; goods made from paper or cardboard, namely, decalcomanias, posters, and sheet music, all featuring or pertaining to a musical group; both featuring or pertaining to a musical group; mounted and unmounted photographs featuring or pertaining to a musical group in Class 16; articles of outer clothing featuring or pertaining to a musical group, sold at concerts and record stores, namely, T-shirts; caps; jackets and headwear in Class 25; and entertainment in the nature of live musical concerts; radio program production and television show production; production of records and audio and video tapes, discs and cassettes; entertainment services, namely, production of plays, musicals, live theatrical performances; publication of books and publication of concert programs, musical tour programs and musical score books” in Class 41 with a registration date of August 24, 1999 and which was most recently renewed on September 3, 2009; and ROCK YOU QUEEN (Reg. No. 3,843,017) for use in connection with “providing components for gaming machines that generate or display wager outcomes, namely, controllers, displays, button panels, bolsters, electrical wiring, and computer hardware and software associated therewith; computer game software for gaming machines including slot machines or video lottery terminals; computer software and firmware for games of chance on any computerized platform, including dedicated gaming consoles, video based slot machines, reel based slot machines, and video lottery terminals;

electronic components for slot machines; gaming devices, namely, gaming machines, slot machines, bingo machines, with or without video output; gaming equipment, namely, slot machines with or without video output; gaming machines; gaming machines featuring a device that accepts wagers; gaming machines including slot machines or video lottery terminals; gaming machines that generate or display wager outcomes; gaming machines, namely, devices which accept a wager; gaming machines, namely, electronic slot and bingo machines; gaming software that generates or displays wager outcomes of gaming machines; machines for playing games of chance; slot machines” in Class 9 with a date of first use at least as early as November 17, 2009. Attached hereto as Exhibit A are true and correct copies of Opposer’s Registration Nos. 2,271,397 and 3,843,017.


4. Opposer is the owner of a Federal Trademark Application, now Published, for the mark QUEEN Crest Application Serial No. 85/178,920 for use in connection with “digital media, namely, downloadable audio files and video files featuring musical groups and/or musical performances via the internet; motion picture films featuring musical group and/or musical performances; film strips featuring musical group and/or musical performances; prerecorded compact discs featuring musical performances and/or non-music commentary related to a musical group; prerecorded gramophone records featuring musical performances and/or non-music commentary related to a musical group; prerecorded audio cassettes featuring musical performances and/or non-music commentary related to a musical group; computer games software; phonograph record sleeves” in Class 9; “paper, paper articles, namely, concert/tour programs, posters, flyers, brochures, and cards featuring a musical group; cardboard, cardboard articles, namely, concert/tour programs, posters, flyers, brochures, and cards featuring a musical group;

sheet music; printed matter, namely, songbooks; printed periodicals in the field of publicizing a musical group, musical greeting cards, gift token cards, greeting cards; photographs; stationery; office requisites, namely, pens; printed instructional and teaching material in the field of music; packaging materials, namely, paper bags, plastic bags, paper for wrapping; transfers, namely, iron-on transfers, plastic transfers and decalcomanias” in Class 16; “articles of outer clothing featuring or pertaining to a musical group, namely, T-shirts, coats, jackets, anoraks, trousers, sweaters, dresses, pajamas, suits, sweatshirts; footwear; headgear, namely, caps, hats, bandanas and headbands” in Class 25; and “education and entertainment services, namely, conducting classes, concerts, performances in the field of music; entertainment in the nature of live musical concerts; production of radio and television programmes; entertainment services relating to radio and television programmes; production of video and/or sound recordings; production of television shows, radio shows, stage shows; production of films; production of live concerts, theatrical stage and musical shows; entertainment in the nature of theatre productions; publication of books and publication of texts; production of video games, sound and record recordings; sounds and video recording, namely, non-downloadable audio files and video files featuring musical groups and/or musical performances” in Class 41, with a filing date of November 17, 2010. Opposer has been using this mark in commerce since at least as early as 1991 for goods identified in class 9, 1992 for goods identified in class 16, 2003 for goods identified in class 25, and 2007 for services identified in class 41. Attached hereto as Exhibit B is a true and correct copy of the TARR Status page of Opposer’s Application Serial No. 85/178,920.

5. Opposer has priority with respect to the



mark in issue. Applicant's application for registration of its mark was filed on the basis of a first use in commerce date of May 12, 2011. On the other hand, Opposer has been using the mark QUEEN since at least as early as 1974 and the mark ROCK YOU QUEEN since at least as early as November 2009, and the mark QUEEN Crest since at least as early as 1991.

6. Opposer objects to Applicant's trademark Application Serial No. 85380593 for , as it so resembles Opposer's QUEEN Marks as to

be likely to cause confusion, or to cause mistake or to deceive within the meaning of Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d); and more particularly, Applicant's registration and use thereof is likely to cause confusion in, or to cause mistake by, or to deceive the trade and purchasing public into believing that Applicant's goods and services originate with or otherwise are authorized, licensed, or sponsored by Opposer or are in some way connected or affiliated with Opposer. Further, any defect, objection or fault found by the trade or public with goods or services marketed under the mark



would negatively impact and injure the reputation that

Opposer has established for goods sold by Opposer under its QUEEN Marks.

7. Opposer's Registration No. 2,271,397 for the mark QUEEN is incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. §1065, and thus serves as conclusive evidence of the validity of Opposer's QUEEN mark as a trademark for the highly successful and world-famous band of the same name, for the goods and services identified in that Registration.

8. Through extensive use, advertising and promotion, Opposer's mark QUEEN has become famous in the U.S.

9. Opposer's mark QUEEN was famous prior to the filing date of Application Serial No. 85380593.

10. Registration of Applicant's mark is likely to cause dilution of Opposer's mark QUEEN, to the injury of Opposer, by lessening the capacity of the QUEEN mark to identify and distinguish Opposer's goods and services, or otherwise diluting or tarnishing Opposer's famous QUEEN mark.


11. Based on the foregoing, the grant of a registration for Applicant's mark in Serial No. 85380593 should be denied based on a likelihood of dilution of the distinctive quality of Opposer's QUEEN mark, in violation of Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c).

12. If Applicant is granted the registration sought by application Serial No. 85380593, it would obtain at least a prima facie exclusive right to use the mark for



“entertainment services by a musical artist and producer,

namely, musical composition for others and production of musical sound recordings” in Class 41. Such a registration would be a source of damage and injury to Opposer.

WHEREFORE, Opposer prays that its opposition be sustained in favor of Opposer and Application Serial No. 85380593 for the mark  be refused.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that the attached NOTICE OF OPPOSITION was filed electronically with the Trademark Trial and Appeal Board on May 22, 2012

Rita E. Kline

Rita E. Kline
Attorney for Opposer,
Queen Productions Limited

CERTIFICATE OF SERVICE

I hereby certify that a copy of this NOTICE OF OPPOSITION was served by First Class Mail to the following address on May 22, 2012, such being the Applicant's correspondence address listed in the TARR system as of this date:

KIMBERLY SMITH
2806 HAVERHILL CIR
N CHARLESTON, SC 29420-8922

Rita E. Kline

Rita E. Kline
Attorney for Opposer,
Queen Productions Limited

Int. Cls.: 9, 16, 25 and 41

Prior U.S. Cls.: 2, 5, 21, 22, 23, 26, 29, 36, 37, 38,
39, 50, 100, 101 and 107

Reg. No. 2,271,397

United States Patent and Trademark Office

Registered Aug. 24, 1999

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

QUEEN

QUEEN PRODUCTIONS LIMITED (UNITED
KINGDOM LIMITED LIABILITY COMPANY)
C/O ROBERT LEE, LEE & THOMPSON
GREEN GARDEN HOUSE 15-22 ST. CHRISTO-
PHER'S PLACE
LONDON, W1M 5HD, ENGLAND

FOR: VIDEO AND SOUND RECORDINGS
AND MOTION PICTURE FILMS FEATURING
MUSIC AND CONCERT PERFORMANCES; EX-
POSED CAMERA FILM; PRE-RECORDED
COMPACT DISCS FEATURING MUSIC;
BLANK AUDIO AND VIDEO TAPES; CAS-
SETTES AND COMPACT DISCS; COMPUTER
SOFTWARE FEATURING MUSIC AND EN-
TERTAINMENT IN THE NATURE OF ANIMA-
TION AND VIDEOS FEATURING MUSICAL
AND CONCERT PERFORMANCES AND STO-
RIES, AND FEATURING EDUCATIONAL CRE-
ATIVE WRITING PROGRAMS, SCREEN
SAVER PROGRAMS, POSTER ART PRO-
GRAMS, AND GRAPHICS PROGRAMS, ALL
FOR ENTERTAINMENT AND AMUSEMENT;
VIDEO GAME CARTRIDGES; VIDEO GAME
DISCS; ELECTRONIC COMPUTER GAME
CARTRIDGES AND ELECTRONIC COMPUT-
ER GAME DISCS; VIDEO AND COMPUTER
OUTPUT GAME MACHINES FOR USE WITH
TELEVISIONS; COIN-OPERATED GAME MA-
CHINES FOR USE WITH TELEVISIONS, IN
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: TOUR PROGRAMS FEATURING A MU-
SICAL GROUP; GOODS MADE FROM PAPER
OR CARDBOARD, NAMELY, DECALCOMA-
NIAS, POSTERS, GREETING CARDS AND

SHEET MUSIC, ALL FEATURING OR PER-
TAINING TO A MUSICAL GROUP; STATION-
ERY, PENS, BOTH FEATURING OR PERTAIN-
ING TO A MUSICAL GROUP; MOUNTED AND
UNMOUNTED PHOTOGRAPHS FEATURING
OR PERTAINING TO A MUSICAL GROUP;
PRINTED RADIO AND TELEVISION PRO-
GRAMS FEATURING LISTINGS OF PRO-
GRAMS AND SCHEDULES FEATURING OR
PERTAINING TO A MUSICAL GROUP, IN
CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND
50).

FOR: ARTICLES OF OUTER CLOTHING
FEATURING OR PERTAINING TO A MUSI-
CAL GROUP, SOLD AT CONCERTS AND
RECORD STORES, NAMELY, T-SHIRTS; CAPS;
JACKETS; ANORAKS, TROUSERS; DRESSES;
FOOTWEAR; AND HEADWEAR, IN CLASS 25
(U.S. CLS. 22 AND 39).

FOR: ENTERTAINMENT IN THE NATURE
OF LIVE MUSICAL CONCERTS; RADIO PRO-
GRAM PRODUCTION AND TELEVISION
SHOW PRODUCTION; PRODUCTION OF
RECORDS AND AUDIO AND VIDEO TAPES,
DISCS AND CASSETTES; ENTERTAINMENT
SERVICES, NAMELY, PRODUCTION OF
PLAYS, MUSICALS, CONCERTS, LIVE THEAT-
RICAL PERFORMANCES; PUBLICATION OF
BOOKS AND PUBLICATION OF CONCERT
PROGRAMS, MUSICAL TOUR PROGRAMS
AND MUSICAL SCORE BOOKS, IN CLASS 41
(U.S. CLS. 100, 101 AND 107).

OWNER OF UNITED KINGDOM REG. NO.
1277023, DATED 10-1-1986, EXPIRES 10-1-2007.

OWNER OF UNITED KINGDOM REG. NO.
1492815, DATED 2-28-1992, EXPIRES 2-28-1999.

OWNER OF UNITED KINGDOM REG. NO.
1492814, DATED 2-28-1992, EXPIRES 2-28-1999.

OWNER OF UNITED KINGDOM REG. NO.
1492813, DATED 2-28-1992, EXPIRES 2-28-1999.

OWNER OF UNITED KINGDOM REG. NO.
1492812, DATED 2-28-1992, EXPIRES 2-28-1999.

SER. NO. 75-314,345, FILED 6-24-1997.

DIANE B. MELNICK, EXAMINING ATTOR-
NEY

United States of America

United States Patent and Trademark Office

ROCK YOU QUEEN

Reg. No. 3,843,017

Registered Aug. 31, 2010

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

QUEEN PRODUCTIONS LIMITED (UNITED KINGDOM CORPORATION)
THE MILL
COOKHAM, BERKSHIRE, UNITED KINGDOM SL6 9QT

FOR: COMPONENTS FOR GAMING MACHINES THAT GENERATE OR DISPLAY WAGER OUTCOMES, NAMELY, CONTROLLERS, DISPLAYS, BUTTON PANELS, BOLSTERS, ELECTRICAL WIRING, AND COMPUTER HARDWARE AND SOFTWARE ASSOCIATED THEREWITH; COMPUTER GAME SOFTWARE FOR GAMING MACHINES INCLUDING SLOT MACHINES OR VIDEO LOTTERY TERMINALS; COMPUTER SOFTWARE AND FIRMWARE FOR GAMES OF CHANCE ON ANY COMPUTERIZED PLATFORM, INCLUDING DEDICATED GAMING CONSOLES, VIDEO BASED SLOT MACHINES, REEL BASED SLOT MACHINES, AND VIDEO LOTTERY TERMINALS; ELECTRONIC COMPONENTS FOR SLOT MACHINES; GAMING DEVICES, NAMELY, GAMING MACHINES, SLOT MACHINES, BINGO MACHINES, WITH OR WITHOUT VIDEO OUTPUT; GAMING EQUIPMENT, NAMELY, SLOT MACHINES WITH OR WITHOUT VIDEO OUTPUT; GAMING MACHINES; GAMING MACHINES FEATURING A DEVICE THAT ACCEPTS WAGERS; GAMING MACHINES INCLUDING SLOT MACHINES OR VIDEO LOTTERY TERMINALS; GAMING MACHINES THAT GENERATE OR DISPLAY WAGER OUTCOMES; GAMING MACHINES, NAMELY, DEVICES WHICH ACCEPT A WAGER; GAMING MACHINES, NAMELY, ELECTRONIC SLOT AND BINGO MACHINES; GAMING SOFTWARE THAT GENERATES OR DISPLAYS WAGER OUTCOMES OF GAMING MACHINES; MACHINES FOR PLAYING GAMES OF CHANCE; SLOT MACHINES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-17-2009; IN COMMERCE 11-17-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-852,318, FILED 10-19-2009.

ERIN FALK, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-05-21 17:12:01 ET

Serial Number: 85178920 Assignment Information Trademark Document Retrieval

Registration Number: (NOT AVAILABLE)

Mark



(words only): Q QUEEN

Standard Character claim: No

Current Status: Application has been published for opposition. The opposition period begins on the date of publication.

Date of Status: 2012-04-17

Filing Date: 2010-11-17

The Information will be/was published in the Official Gazette on 2012-04-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 110

Attorney Assigned:
MILTON PRISCILLA W

Current Location: 650 -Publication And Issue Section

Date In Location: 2012-03-10

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Queen Productions Limited

Address:

Queen Productions Limited
22 Cottage Offices, Latimer Park Latimer Road, Chesham
Buckinghamshire HP51TU
United Kingdom

Legal Entity Type: Limited Liability Company**State or Country Where Organized:** United Kingdom

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

Digital media, namely, downloadable audio files and video files featuring musical groups and/or musical performances via the internet; motion picture films featuring musical group and/or musical performances; film strips featuring musical group and/or musical performances; prerecorded compact discs featuring musical performances and/or non-music commentary related to a musical group; prerecorded gramophone records featuring musical performances and/or non-music commentary related to a musical group; prerecorded audio cassettes featuring musical performances and/or non-music commentary related to a musical group; computer games software; phonograph record sleeves

Basis: 1(a), 44(e)**First Use Date:** 1991-09-00**First Use in Commerce Date:** 1991-09-00**International Class:** 016**Class Status:** Active

Paper, paper articles, namely, concert/tour programs, posters, flyers, brochures, and cards featuring a musical group; cardboard, cardboard articles, namely, concert/tour programs, posters, flyers, brochures, and cards featuring a musical group; sheet music; printed matter, namely, songbooks; printed periodicals in the field of publicizing a musical group, musical greeting cards, gift token cards, greeting cards; photographs; stationery; office requisites, namely, pens; printed instructional and teaching material in the field of music; packaging materials, namely, paper bags, plastic bags, paper for wrapping; transfers, namely, iron-on transfers, plastic transfers and decalcomanias

Basis: 1(a), 44(e)**First Use Date:** 1992-00-00**First Use in Commerce Date:** 1992-00-00**International Class:** 025**Class Status:** Active

articles of outer clothing featuring or pertaining to a musical group, namely, T-shirts, coats, jackets, anoraks, trousers, sweaters, dresses, pajamas, suits, sweatshirts; footwear; headgear, namely, caps, hats, bandanas and headbands

Basis: 1(a), 44(e)**First Use Date:** 2003-00-00**First Use in Commerce Date:** 2003-00-00**International Class:** 041**Class Status:** Active

Education and entertainment services, namely, conducting classes, concerts, performances in the field of music; entertainment in the nature of live musical concerts; production of radio and television programmes; entertainment services relating to radio and television programmes; production of video

and/or sound recordings; production of television shows, radio shows, stage shows; production of films; production of live concerts, theatrical stage and musical shows; entertainment in the nature of theatre productions; publication of books and publication of texts; production of video games, sound and record recordings; sounds and video recording, namely, non-downloadable audio files and video files featuring musical groups and/or musical performances

Basis: 1(a), 44(e)

First Use Date: 2007-11-00

First Use in Commerce Date: 2007-11-00

ADDITIONAL INFORMATION

Color(s) Claimed: Color is not claimed as a feature of the mark.

Description of Mark: The mark consists of the word "QUEEN" beneath a design comprising a phoenix above a letter "Q" which encloses a crown, with lions and angels on either side of the letter "Q".

Design Search Code(s):

03.01.02 - Lion insignia (heraldic lion)

04.01.02 - Angels; Cherubs; Cupids; Halos on animals or humans; Winged personages

04.05.05 - Phoenix

24.11.02 - Crowns open at the top

Prior Registration Number(s):

2271397

Foreign Registration Number: 000528158

Foreign Registration Date: 2001-03-21

Country: Erpn Cmnty TM Ofc

Foreign Expiration Date: 2017-05-06

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2012-04-17 - Official Gazette Publication Confirmation E-Mailed

2012-04-17 - Published for opposition

2012-03-28 - Notification Of Notice Of Publication E-Mailed

2012-03-10 - Law Office Publication Review Completed

2012-03-10 - Assigned To LIE

2012-02-24 - Approved for Pub - Principal Register (Initial exam)
2012-02-23 - Teas/Email Correspondence Entered
2012-02-23 - Communication received from applicant
2012-02-23 - TEAS Response to Office Action Received
2011-09-23 - Notification Of Non-Final Action E-Mailed
2011-09-23 - NON-FINAL ACTION E-MAILED
2011-09-23 - Non-Final Action Written
2011-09-23 - Previous Allowance Count Withdrawn
2011-09-23 - Approved for Pub - Principal Register (Initial exam)
2011-09-06 - Teas/Email Correspondence Entered
2011-09-06 - Communication received from applicant
2011-09-06 - TEAS Response to Office Action Received
2011-03-05 - Notification Of Non-Final Action E-Mailed
2011-03-05 - Non-final action e-mailed
2011-03-05 - Non-Final Action Written
2011-02-26 - Assigned To Examiner
2010-11-23 - Notice Of Design Search Code Mailed
2010-11-22 - New Application Office Supplied Data Entered In Tram
2010-11-20 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

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